

REMARKS

Claims 1-10 are pending in the application and have been rejected. Claims 1, 2 and 10 have been amended to correct objections noted by the Examiner.

RESPONSE TO THE REJECTION UNDER 35 U.S.C. 102

Anticipation requires that a single reference teach, expressly or inherently, every claim limitation. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See MPEP § 2131.01.

Claims 1-3 and 6-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Shibana (U.S. 6,315,960). Claims 1 and 7 recite that a layer of filter media surrounds the core. Claim 1 further recites that the first barrier surrounds the filter media around the core. Shibana discloses a core (70 or 20) but the filters (90, 91 and 92) **do not surround** the core. The filters are part of the receptacle 63 which is coupled to component 60. The filters do not extend upwards from the receptacle to surround the core. Furthermore, Shibana does not disclose the barriers 64, 65 surrounding the filter media which surrounds the core. Since Shibana does not disclose the filter media surrounding the core, nor the barriers surrounding the filter media, it does not anticipate claims 1-3 and 6-9.

RESPONSE TO REJECTION UNDER 35 U.S.C. 103

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 2143.

Claims 4-5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shibana in view of Carlson et al. (U.S. 6,475,340). Since neither has to discuss or disclose but combo does. The combination of references must teach or suggest all the claim limitations. Neither Shibana nor Carlson disclose the filter media surrounding the core. Carlson discloses a novel pleated media, but pleated media well-known in the art. The structure is not disclosed or suggested in either cited patent. Therefore, claims 4-5 and 10 are patentable over prior art.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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